

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN JIM PETERSON**, on February 11, 2005 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Jim Peterson, Chairman (R)
Rep. John (Jack) W. Ross, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Dee L. Brown (R)
Rep. Paul Clark (D)
Rep. Sue Dickenson (D)
Rep. George Everett (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Rick Maedje (R)
Rep. Veronica Small-Eastman (D)

Members Excused: Rep. Christopher Harris, Vice Chairman (D)

Members Absent: Rep. Norma Bixby (D)
Rep. Gail Gutsche (D)
Rep. David E. Wanzenried (D)

Staff Present: Joe Kolman, Legislative Branch
Debra Polhemus, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 545, 2/5/2005; HB 546, 2/5/2005;
HB 568, 2/8/2005; HJ 18, 2/8/2005

Executive Action:

HEARING ON HB 568

Opening Statement by Sponsor:

00:02:42 **REP. VERDELL JACKSON (R), HD 6**, opened the hearing on **HB 568**, Challenge of certain power generation water rights in adjudication.

[**EXHIBIT \(nah34a01\)**](#)

[**EXHIBIT \(nah34a02\)**](#)

Proponents' Testimony: None.

Opponents' Testimony:

00:12:46 Tom Ebzery, Attorney, Billings, Avista Corporation
[**EXHIBIT \(nah34a03\)**](#)

00:18:35 Mark Aagenes, Montana Trout Unlimited

00:20:03 Holly Franz, Water Rights Lawyer, representing PPL Montana

00:20:52 Mike Murphy, Montana Water Resources Association

Informational Testimony: None.

Questions from Committee Members and Responses:

00:21:40 **REP. JOPEK**

00:24:10 **REP. BROWN**

00:29:05 **REP. CLARK**

00:35:44 **CHAIRMAN PETERSON**

00:37:44 **REP. CLARK**

Closing by Sponsor:

00:39:19 **REP. VERDELL JACKSON (R), HD 6**, closed the hearing on **HB 568**.

HEARING ON HJ 18

Opening Statement by Sponsor:

00:51:48 **REP. DENNIS HIMMELBERGER (R), HD 47**, opened the hearing on **HJ 18**, Urge support for access to public land.

Proponents' Testimony:

00:54:45 Ed Melcher, Billings, Chairman, Families for
Outdoor Recreation

EXHIBIT (nah34a04)

01:00:23 Kerry White, Citizens for Balanced Use, Bozeman

EXHIBIT (nah34a05)

01:05:05 Ben Erickson, Citizens for Balanced Use

01:07:35 Brad Molnar, previous State Representative
Communications Director, Families for Outdoor
Recreation

01:09:20 Doug Abelin, Mountain Trail Vehicle Riders
Association

Opponents' Testimony:

01:11:01 Gayle Joslin, Landowner, Hunter

EXHIBIT (nah34a06)

01:13:10 Greg Munther, Missoula resident

EXHIBIT (nah34a07)

01:17:07 Ingrid Lovitt, Missoula resident

EXHIBIT (nah34a08)

01:20:17 Gary Ingman, Helena resident

01:22:22 Ryan Sparhawk, Billings resident

EXHIBIT (nah34a09)

01:24:30 Tim Baker, Montana Wilderness Association

Informational Testimony:

01:25:01 Terry Chute, U.S. Forest Service, Gayle Kimball

EXHIBIT (nah34a10)

Questions from Committee Members and Responses:

01:29:35 REP. JOPEK

01:31:56 REP. FUREY

01:37:01 REP. EVERETT

01:43:11 REP. HEINERT

01:45:23 REP. BARRETT

01:47:13 REP. CLARK

01:52:07 REP. HEINERT

01:54:14 REP. MAEDJE

Closing by Sponsor:

01:57:00 REP. DENNIS HIMMELBERGER (R), HD 47 closed the
hearing on HJ 18.

01:58:17 break

02:05:59 resume

HEARING ON HB 546

Opening Statement by Sponsor:

02:06:06 **REP. RICK MAEDJE (R), HD 2**, opened the hearing on
HB 545, Clarify rules for gravel pits.

Proponents' Testimony: None.

Opponents' Testimony:

02:07:44 John Wilson, Montana Trout Unlimited
02:08:34 Greg Munther, Missoula resident
02:10:14 Chris Smith, Chief of Staff, Montana Fish,
Wildlife & Parks

EXHIBIT (nah34a11)

Informational Testimony: None.

Questions from Committee Members and Responses:

None.

Closing by Sponsor:

02:13:07 **REP. RICK MAEDJE (R), HD 2** closed hearing on HB
546.

HEARING ON HB 545

Opening Statement by Sponsor:

02:13:44 **REP. RICK MAEDJE (R), HD 2**, opened the hearing on
HB 546, Restrict Fish, Wildlife & Parks purchases
of property until water rights adjudication
completed.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony:

02:20:52 Neil Harrington, Department of Environmental
Quality

Questions from Committee Members and Responses:

02:28:30 **REP. HEINERT**
02:29:02 **REP. BROWN**
02:30:24 **REP. LAMBERT**
02:32:14 **REP. CLARK**
02:34:08 **REP. BARRETT**
02:34:28 **REP. JOPEK**

Closing by Sponsor:

02:34:55 **REP. RICK MAEDJE (R), HD 2,** closed the hearing on
HB 545.

02:35:25

ADJOURNMENT

Adjournment: 6:00 P.M.

REP. JIM PETERSON, Chairman

DEBRA POLHEMUS, Secretary

JP/dp

Additional Exhibits:

EXHIBIT ([nah34aad0.TIF](#))